

House File 1 - Enrolled

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HOUSE FILE 1

AN ACT

RELATING TO THE STATE MINIMUM HOURLY WAGE REQUIREMENTS AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 91D.1, subsection 1, paragraphs a, b, and d, Code 2007, are amended to read as follows:

~~a. The state hourly wage stated in the federal minimum wage law, pursuant to 29 U.S.C. } 206, shall be increased to \$3.85 on January 1 of 1990, \$4.25 on January 1 of 1991, and \$4.65 on January 1 of 1992 at least \$6.20 as of April 1, 2007, and \$7.25 as of January 1, 2008.~~

b. Every employer, as defined in the federal Fair Labor Standards Act of 1938, as amended to January 1, 2007, shall pay to each of the employer's employees, as defined in the federal Fair Labor Standards Act of 1938, as amended to January 1, 2007, wages of not less than the state hourly wage stated in paragraph "a", or the current federal minimum wage, pursuant to 29 U.S.C. } 206, or the wage rate stated in paragraph "a" as amended, whichever is greater.

d. An employer is not required to pay an employee the applicable minimum state hourly wage provided in paragraph "a" until the employee has completed ninety calendar days of employment with the employer. An employee who has completed ninety calendar days of employment with the employer prior to ~~January April 1 of 1990, 1991, or 1992, 2007, or January 1, 2008,~~ shall earn the applicable state hourly minimum wage as of that date. An employer shall pay an employee who has not completed ninety calendar days of employment with the employer an hourly wage of at least ~~\$3.35 as of January 1 of 1990, \$3.85 as of January 1 of 1991, and \$4.25 as of January 1 of 1992~~ \$5.30 as of April 1, 2007, and \$6.35 as of January 1, 2008.

Sec. 2. LABOR COMMISSIONER DIRECTIVE. If the commissioner finds that an employer, as defined in the federal Fair Labor Standards Act of 1938, as amended to January 1, 2007, has failed to comply with the provisions of this Act prior to July 1, 2007, the commissioner shall enforce the provisions of this Act pursuant to chapter 91A, but shall not impose liquidated damages.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2007

CHESTER J. CULVER
Governor